REMARKS

Claims 1-19 have been examined. Claims 2, 4, 7, 8, and 12 have been canceled without prejudice or disclaimer. Applicants reserve the right to purse these claims in a divisional or continuation application.

I. Rejections under 35 U.S.C. § 102

Claims 1-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Branson (US 6,425,126). Applicants traverse this rejection.

A. Claim 1

Claim 1, as amended, recites:

> A detection method of omission-in-software-property-management using a network for detecting a computer omitted from a software-property management which manages, for each computer, basic information thereof and installed software, and fix-patch application status, the method comprising the steps of:
> performing a first step wherein a network-connected-computer list which holds, for all computers connected to a given network, information for identifying each computer, and a software-property management list which holds, for all computers to be managed by said software-property management, information for identifying each computer, are used as a basis on which <u>a computer is extracted</u> that is present in said network-connected-computer list and absent in said software-property management list; and
> performing a second step wherein there is created <u>a list of computer omitted in the software-property management based on the computer extracted that is present in said network-connected-computer list and absent in said software-property management list in the first step,</u>
> wherein in the first step, said network-connected-computer list and said software-property management list are used as a basis on which <u>a computer is extracted</u> that is present in said software-property management list and absent in said network-connected-computer list, and
> in the second step, there is created <u>a list of computer in unused state based on the computer extracted that is present in said software-property management list and absent in said network-connected-computer list.</u> (emphasis added)

Branson discloses a software fix manager and an update manager, wherein a numerous target <u>computers in a network may be synchronized with a preferred software inventory of a</u>

model system (Abstract). More particularly, Branson discloses that each computer has two software inventories: a software product inventory, which includes a list of all software products installed on the computer, and a software fix inventory, which includes a list of software fixes (i.e., patches) added to the software product on the computer (col. 4, lines 10-18). Therefore, each computer contains information pertaining to its own software and patches related to a particular software product. The software fix manager is stored a in a central location (e.g., a server) of the network and gathers the software inventories from a number of computer systems in the network, and these software inventories are compared to a preferred software inventory (col. 4, lines 19-30 and col. 8, lines 30-45). Thereafter, a fix list is generated which includes a union of all the software product synchronizations for each computer **in the network** that is being created (col. 4, lines 31-37). The update manager uses the software fix list to apply the software synchronizations to the computers (col. 3, lines 1-10).

Thus, it appears that the software fix manager determines which computers are in the network and also determines which computers on the network do not have the preferred software installed thereon. Once it is determined that a computer lacks the preferred software, the software fix manager instructs the update manager to synchronize the computer by installing and/or removing software such that the computer has the desired software product and patches installed thereon.

Branson, however, fails to disclose or fairly suggest a list of computer omitted in software-property management and a list of computer in unused state as recited in claim 1. That is, Branson fails to disclose the two separate extracted computer lists. For example, column 9, lines 50-67, of Branson merely relates to a software product not installed on a target system (i.e.,

computer) and not applying any updates to the target system which relate to the software product. However, the target computer remains connected to the network. In other words, a computer not having a particular type of software installed thereon, and thus not having applicable updates applied thereto, does not suggest that the target itself is not connected to the network. Contrary to the Examiner's assertion, the target computer remains in the network at all times such that it may receive software product synchronizations for other software products that are installed thereon (see also, col. 12, lines 20-35).

In view of the above, Branson fails to disclose or fairly suggest "said network-connected-computer list and said software-property management list are used as a basis on which a computer is extracted that is present in said software-property management list and absent in said network-connected-computer list, and in the second step, there is created a list of computer in unused state based on the computer extracted that is present in said software-property management list and absent in said network-connected-computer list."

In addition, Branson merely teaches that a fix list is sent to each target system (i.e., computer) and it is determined individually for each computer whether a software product synchronization will or will not be applied (col. 12, lines 20-35). For example, the fix list 162 is created by receiving software product inventories and software fix inventories from the target system and comparing inventories to a preferred software product inventory in order to determine which fixes are needed for a computer (col. 9, lines 2-23). It appears a fix list is created that includes all fixes needed for all computers in the network, however, not all fixes may be relevant to a specific computer or to all computers (col. 9, lines 40-63). Each computer performs is own comparison such that an update controller for that target system compares the

software fix inventory of its own target system with the fix list (col. 9, lines 47-52). Thus, the

fist list is merely a list of fixes which are sent to all computers such that the computers can

determine which fixes are to be applied to that computer. Branson, however, fails to disclose or

fairly suggest "a computer is extracted that is present in said network-connected-computer list

and absent in said software-property management list; and a list of computer omitted in the

software-property management based on the computer extracted that is present in said network-

connected-computer list and absent in said software-property management list in the first step."

That is, Branson does not disclose a list which indicates which computers in a network are

omitting software-property management. Branson merely sends the fix list to <u>all computers</u> in

the network regardless of whether they need fixing.

In view of the above, Branson fails to disclose or fairly suggest each and every feature of

claim 1. Claim 1 should be patentable for at least this reason.

B.   Claims 3, 5, 6, 10 and 11

Claims 3, 5, 6, 10 and 11 include analogous, though not necessarily coextensive features

recited in claim 1, and therefore, claims 3, 5, 6, 10 and 11 are patentable for the reasons

discussed for claim 1.

C.   Remaining claims

The remaining claims should be patentable at least by virtue of their respective

dependencies.

II.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

      The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

                              Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060   Ryan F. Heavener
Facsimile: (202) 293-7860   Registration No. 61,512

    WASHINGTON OFFICE
    23373
    CUSTOMER NUMBER

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